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The PROCEEDINGS against the Lord RUSSEL, Upon His TRYAL for HIGH-TREASON,

At the Sessions-House in the *Old-Baily*, on the 13*th*. of this Instant *July*, for Conspiring against the Life of the *KING*, to Levy War and Rebellion, *&c.*

As also the Tryals of *William Hone*, the *Joyner*, *John Rouse*, and *William Blake*, For Conspiring the Death of the KING, *&c.*

AT the Sessions-House at the *Old-Bayly*, *William Hone* having been Yesterday Arraigned, and thereto Pleaded not Guilty, was brought this Day upon his Tryal, who before he was put upon the Jury, desired to Retract his former Plea of not Guilty, and to Plead Guilty, as to the Conspiracy, but would not own his procuring Arms, as in the Indictment was specified; which Plea the Court refusing to approve, unless he would directly Plead Guilty to the whole Indictment, the Jury was charged with him. And the Indictment Read, Importing that he not weighing his Duty and Allegiance, but as a false Traytor, had Conspired the King to depose from his Crown and Dignity, and him to Assassinate and Murther, to raise War and Rebellion, and to make a miserable Slaughter of His Majesties Subjects; and in order thereto he had procured Arms, as Blunderbusses, Muskets, Carbines, Pistols, and the like. The Indictment Read, the King's Council proceeded to open the Nature of the Fact, and Relate the danger of the Conspiracy, and of what Fatal Consequence it would have proved, if it had taken Effect: with many Particulars Relating to what Evidence was to be given against the Prisoner. After which, Mr. *Keeling* was Sworn, who deposed, that the Prisoner coming acquainted with him by the means of Mr. *Goodenough*, had at sundry times declared, that he was tempered with, to enter into the Conspiracy against the Life of the King, and that he was to be one in the intended Assassination of His Majesty; And that particularly he was at a Consult (as he verily believed) when the killing the Captain and Lieutenant was to be loped, or dispatched, by those, meaning the King and the Duke of *York*; and that once being with him at the *Flanders Coffee-House*, he declared, That it would never be well, till the Black-Bird and Gold-finch were knocked in the head, meaning the King and the Duke of *York*: And that in a Consult where the Assassination of His Majesty in his return from *Newmarket*: when Mr. *West* being in Company, demanded how many Swans Quills, Goose Quills, and pair of Crow Quills, with Ink and Sand, were in a readiness? meaning thereby Blunderbusses, Muskets, Pistols, Powder, and Bullets, that he was to have; and that he was fully consenting to Imbark himself in the wicked Enterprize; and that a debate was held, what day the King was to return; and that divers Opinions thereupon happened amongst the Conspirators.

Mr. *West* being next Sworn, gave Evidence, That the Prisoner came to his Chamber in the *Temple*, and acquainted him, that he came from Mr. *Goodenough*, and that he had by his perswasion, consented to be one that was to Assassinate the King. And that it was further agreed by the Conspirators, that he should be furnished with Twenty Pounds, or thereabouts, to provide him Horse and Arms, and that he did procure Arms in order to the Design; with many other Particulars, Relating to the wicked Conspiracy. This Evidence given, Sir *Nicholas Butler* deposed, That the Prisoner had Related, or Confessed matter in Relation to the wicked Conspiracy, *&c.* after which the Evidence being summed up, the Jury without departing the Court, gave their Verdict, that he was guilty of *High-Treason*, as in the Indictment it was layed.

Hone Convicted as aforesaid, the Lord *Russel* was Arraigned, who thereupon desired longer time to prepare for his Tryal; but that not being allowed, he excepted against the Jurors, as not being Free-holders within the City of *London*, and thereupon desired Council to be assigned him, to debate it as matter of Law; which was granted, and Mr. *Pollexfen*, Mr. *Pole*, and Mr. *Ward*, were assigned; whose opinions, after many Arguments between them and the Kings Council, were over-ruled by the Court; and thereupon

upon the Jury was called, of which the Prisoner Challenged about Thirty peremptorily, but Twelve being Sworn, the Indictment was Read, the substance of which being to this Effect. That he, *William Russel*, Esq; (for so was he stiled) together with *James* Duke of *Monmouth*, *Lord* Lord *Grey*, Sir *Thomas Armstrong*, *Ferguson*, &c. had Conspired to leavy War and Rebellion in the Kingdom of *England*, to compass the Death of His Majesty, and to make a miserable Slaughter amongst the Subjects of our Lord the King, *&c.* To this Indictment he having Pleaded not Guilty, Mr. *North* opened the matter of Fact, and was seconded by Mr. Attorney General, who at large, declared the hainousness of the Crime, which in Evidence, was to be given against the Noble Lord Prisoner at the Bar, which was also Insisted upon by Mr. *Solicitor General*. After which, Colonel *Rumsey* was Sworn, who deposed, That the Duke of *Monmouth*, the Lord *Russel*, Sir *Thomas Armstrong*, and divers others, being at one Mr. *Shepherd* a *Vintners*, in the Parish of St. *Nicholas Bosham*, he was sent to them by the Earl of *Shaftsbury*, to know what forwardness they were in, as to an Insurrection; to which he received Answer, That Mr. *Trenchard*, who had promised to raise 1000 Foot, and 4000 Horse, to be aiding in the Design, had certified them by a Letter, that he could not so soon Effect it, as was required; for that the persons he desired to allure to his Interest, would not Rush upon a Design, e're they had provided for their Families, and that the Earl of *Shaftsbury* must be contented, at which the Earl seemed much disaffected. He further deposed, That divers Consults had been held, in order to the raising men in divers places, and that an Insurrection was to have been on the 19*th.* of *November*: and that he, *viz.* Colonel *Rumsey*, was to have been a Commander at *Bristol*, though in what Capacity was not nominated. And that it was agreed, That the Duke of *Monmouth*, the Lord *Grey*, and Sir *Thomas Armstrong*, should take a view of the Guards in the *Mues*, and at the *Savoy*, to see how they keep their Order.

After this, *Mr. Shepherd* the Vintner was Sworn; who deposed, That *Mr. Ferguson* came to him in the name of the Duke of *Monmouth*, and named divers persons that were to come to his House, desiring a private Room, which they had accordingly; and that the Prisoner was there, and at that time a discourse happened about an Insurrection; and a Declaration was Read, purporting to a Relation of the Grievances of the Nation, tending to a Rising, *&c.* And that another time the Company met, but that he was not positive whether the Prisoner was there then or no; but that there, as at first, they were very private, and came on foot, *&c.*

This deposition made, the Lord *Howard* of *Escrick* was Sworn, Who declared the whole Conspiracy at large from time to time, how the Plot was cartyed on by the Earl of *Shaftsbury* in chief, and that he had declared his dissatisfaction in the coldness of the Duke of *Monmouth* and other *Lords* to joyn with him; and that he had 10000 Men in the City at his beck; and seeing things were so far advanced, he would cause the Design to be put in Execution: and that divers Messages passed between the Earl and the Lords in relation to putting off the design longer; which at last was from time to time put off, till the Earl, doubting his safety, fled into *Holland*, where he dyed; after which a Council of Six were constituted, who were the Duke of *Monmouth*, the Earl of *Essex*, the Lord *Russel*, the Lord *Howard* (the now Witness,) *Mr. Sidny*, and *Mr. Hambden* the younger, who were to determine all matters as to the Insurrection; and that they to his knowledge met at *Hambdens* House, and at the House of the Prisoner, to debate about carrying on the Design, and that *Aaron Smith* was sent into *Scotland* to perswade the Gentry to Rise. This, or to this effect, though more at large, was the Evidence. After which the Lord *Russel* called divers Evidences, some to declare what the Lord *Howard* had said concerning the Plot, in relation to him, before the said Lord *Howard* was taken Prisoner, and others for the most part Persons of Quality, to testifie his sincere life and Conversation. After which, the Kings Council summed up the Evidence, and the Court gave the Charge; when the *Jury* going out, after some consideration, brought him in Guilty of High-Treason.

This Tryal over, *John Rouse*, who was Yesterday Arraigned, came upon his Tryal, for Treasonably Conspiring to compass the Death of the King, to leavy War, raise Rebellion, *&c.* to which, upon this Arraignment, he Pleaded not Guilty; but the Charge being opened by the King's Council, the Witnesses for the King were Sworn, who deposed, That he, the Prisoner, had been at divers Consults, for the carrying on the Conspiracy against the Life of the King, to stir up the people to Sedition, and Rebellion; with divers other Treasonable Practises by him done, and approved of sundry times, and in divers places; and he not being capable by Witnesses to disprove it, the Charge given, the Jury found him Guilty of High-Treason.

Next *William Blake*, a Sea-Captain, was Tryed for Treasonable Conspiracy, and intending to compass the Life of the King; in order to which, he, according to the Evidence, had prepaired Shiping to Assault the *Tower*, and to batter it with Granadoes; and that in order thereto, he had consulted with *Richard Goodenough*, and divers other Conspirators; But the Proof being full, only by one Evidence, the other not swearing positive, or not to what amounted to Treason, and the Law; in Case of High-Treason, requiring Two positive Evidences, the Prisoner was found not Guilty.

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